

TESTIMONY OF THE CONNECTICUT JUSTICE ALLIANCE

Judiciary Committee

S.B. No. 16 AN ACT ADDRESSING GUN VIOLENCE AND JUVENILE CRIME

**IN OPPOSITION OF S.B. No. 16**



March 12, 2022

Dear Chairs Senator Winfield, Representatives Stafstrom, and members of the Judiciary Committee:

My name is Fernecia Smith and I am a Justice Advisor with the Connecticut Justice Alliance (CTJA) and I'm writing this testimony to communicate my strong opposition for **S.B. No. 16 AN ACT ADDRESSING GUN VIOLENCE AND JUVENILE CRIME**. The CTJA is a statewide youth-adult partnership working to end the criminalization of youth. The Alliance includes Justice Staff, Justice Advisors, and Steering Committee members, which includes lawyers, researchers, clinicians, and social workers, who work across issues in areas such as mental/behavioral health, family advocacy, substance abuse, youth services, LGBTQ+ issues, legal representation, education, community and residential services, and public policy reform.

While gun violence and youth crime in our state is a clear ongoing issue, and the intent to address this is noted– I want to point out that the way in which you go about doing so will make all the difference in the results you wish to yield. Creating “tougher” laws on crime that target youth offenders will NOT deter them from committing such crimes. If this were the case, we wouldn't see the level of criminal activity that we see now because the laws currently set in place are already tough. It's important to think about *why* such crimes are committed in the first place in order to properly address how to prevent them from happening. These children are not committing crimes because they're not afraid of the repercussions. In fact, I'm sure they're very afraid of the consequences that could follow when they're caught. They're committing crimes because their root issues have yet to be addressed. Because they live in a society where their government cares more about what it looks like to catch a youthful offender and punish them rather than figure out why a CHILD is acting in such unusual ways in the first place.

Some of the text in this proposed bill is troubling. Specifically, Section 31 which expands on the definition of a “Serious Juvenile Offense” to include the failure to stop or disobeying the directions of an officer, evasion of responsibility in operating motor vehicles, and car theft in various degrees. This is obviously included with the intentions that making these a serious offense would decrease the amount of car thefts. The solution to car thefts are actually a lot simpler than what many may believe. Simply put, car theft is an opportunity crime, meaning it only happens if the opportunity presents itself. If people don't want their cars stolen, then they should utilize the “lock” feature that every vehicle is equipped with. They should also refrain from starting their vehicle and walking away, leaving it completely unattended with the keys in the ignition or the key fob in the car. Now besides the obvious fixes, there is also the fact that the Connecticut legislature passed [PA 19-110](#) in 2019 which included the creation of a car theft diversion program for young people that allows the children to participate in services aimed at addressing their needs and risks. According to CSSD data, 60 kids participated in this program as of December 2020 and more than 75% of these kids have had no subsequent arrest following the completion of the program. Investing in preventative services and programs for our children does more positive and more justice than punishing them ever will.

Section 32 of this bill, which talks about mandating electronic monitoring for young people charged with motor vehicle crimes who are not held in detention after arrest and/or who were ordered to remain in or refrain from being in a given location is another issue of concern. Since these are children that we are talking about, it would be unrealistic of us to think that they are going to comply with staying in one given location or staying away from given locations. As a child, our brains are not yet fully developed and it is in our child-like-nature to do the opposite of what we are told or to get too curious, explore and test the limits of what the given directions were. How likely do you think it is that a child will adhere to the restrictions of electronic monitoring? The answer, in case you haven't already figured it out, is very unlikely. What this says to me is that implementing something like this that we know children will be likely to disobey, is just another loop hole set up to be able to quickly send that child right back into the system for violating orders, which is what we need to avoid by all means necessary. In addition to it being ineffective, all forms of electronic/gps monitoring is also too costly. Why spend money on something as ineffective as this, when there are more effective ways that already exist that need more funding to reach a larger population of youth? Lets reinvest those dollars into things that we know for a fact already work.

This leads me to the next area of concern which is found in Section 33, specifically beginning at line 1522, where gun violence intervention and prevention would be added to the duties of the Office of Injury Prevention within DPH. It is not enough to just say that you will implement a program "within available appropriations." You need to intentionally set aside a set amount of money that will be saved specifically for programming. The current language used does nothing for us because it can easily be manipulated or left unaddressed. If we are going to implement programming, then it needs to be intentional from the very beginning.

Lastly, I want to be clear that when I say "our children" I'm specifically and very intentionally speaking on behalf of the Black and Brown children of the State of Connecticut who are failed time and time again because these laws disproportionately affect them. It is a youth justice issue just as much as it is a racial justice issue, and until we can get our stakeholders to see that, this state will continue to move backwards rather than forward. There is a reason why you don't see the same type of crime in certain towns and cities in our state that you see repeatedly in other towns and cities. When you check the data on the investments and the programming available and the quality of education, it becomes quite obvious. Invest in the communities that need it. Invest in our children. Please be sure to check out our [fact sheets](#) for more information as it relates to our youth, as well as our campaign for more information and insight on [#InvestInMeCT](#).

Thank you for allowing me to submit testimony today.

Wholeheartedly,  
Ferneia Smith, *Justice Advisor*

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